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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION (C) NO.5765 OF 2006

PETITIONER	:	Jhaman Ram S/o. Faguram, aged about 45 years, Caste Nageriya, Occupation Welder, South Eastern Coalfields Ltd., Dipka Project, Korba, R/o. Jairamnagar, P.O. Jairamnagar, Tahsil Masturi, distt. Bilaspur (C.G.)
	Vs.	
RESPONDENTS	1.	State of Chhattisgarh Through the Secretary Revenue Department, DKS Bhavan, Mantralaya, Raipur (C.G.)
	2.	Tahsildar, Masturi, Tahsil Masturi, District Bilaspur (C.G.)
	3.	Revenue Inspector, Masturi, District Bilaspur (C.G.)
	4.	Patwari, Patwari Circle No.38, Masturi, Tahsil Masturi, District Bilaspur (C.G.)

Present : Smt. Hamida Siddique, learned counsel for the petitioner.
Shri Sanjay S. Agrawal, learned G.A. for the respondents.

ORAL ORDER

(Passed on 9th November, 2006)

The only complaint in this writ petition is that though the second respondent Tahsildar, Tahsil Masturi, as per the Order dated 18.05.2006 (Annexure-P/1) directed the respondents 3 and 4 Revenue Inspector Masturi and Patwari, Patwari Circle No.38, Masturi, respectively, to remove the obstructions raised by a private party on the petition schedule path, the direction of the second respondent is not carried out by the respondents 3 and 4, and therefore, respondents 2 to 4 be directed to comply with the directions of the second respondent. Article 226 of the Constitution of India is not meant for enforcing such directions issued by the Tahsildar. The Tahsildar having issued such direction is duty bound to enforce the same through the subordinate officials or himself and if he

does not respect his own order and does not take appropriate action, it is open for the petitioner to bring it to the notice of the higher-ups of the Revenue Administration and seek appropriate intervention in the matter. Reserving such liberty to the petitioner, the writ petition is dismissed. No costs.

Sd/-
Chief Justice